

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MASSACHUSETTS

James Driscoll,
Plaintiff

v.

Robert Leaf,
Defendant.

1:23-CV-12835 (DJC)

Motion to Continue Hearing Date

Driscoll respectfully requests the Court reschedule its July 9 hearing on Leaf's Motions to Dismiss. The hearing was originally scheduled for June 26, and was postponed the day prior. Since then, Driscoll has called and emailed the Clerk's office to ask for a rescheduling, upon which July 11 at 11:00 AM was offered. It is unclear whether this date was finalized, or not. *See* Exhibit A. Driscoll has contacted the Clerk's office many more times, to no avail. Driscoll respectfully requests the Court reschedule the July 9 hearing (if it not already done so).

Leaf does not oppose and, upon conferring, Leaf's Counsel requested that, if the hearing is scheduled on July 11, it be set for 2:00PM or later. Driscoll has an important medical appointment on July 9 on Nantucket, and a follow-up on July 12, but can otherwise attend any other dates.

Respectfully Submitted July 8, 2024,

/s/ James M Driscoll II

P.O. Box 3365 | Nantucket, MA 02584
508-789-2371 | Jamesmdriscoll2@gmail.com

Certificate of Service and Compliance with Local Rule 7.1

I hereby Certify that I conferred with Leaf's Counsel prior to filing this motion. I hereby certify that on July 8, 2024, I served a true copy of this motion and Exhibit A on Leaf's Counsel via email.

/s/ James M Driscoll II

EXHIBIT A

James Driscoll <jamesmdriscoll2@gmail.com>

Motion Hearing set for tomorrow

10 messages

Lisa Hourihan <Lisa_Hourihan@mad.uscourts.gov>
To: "jamesmdriscoll2@gmail.com" <jamesmdriscoll2@gmail.com>

Tue, Jun 25, 2024 at 2:16 PM

Mr. Driscoll, just making sure that you saw the notice continuing the motion hearing that was set for tomorrow due to our ongoing jury trial.

Lisa

James Driscoll <jamesmdriscoll2@gmail.com>
To: Lisa Hourihan <Lisa_Hourihan@mad.uscourts.gov>

Tue, Jun 25, 2024 at 2:58 PM

I did, thank you.
[Quoted text hidden]

James Driscoll <jamesmdriscoll2@gmail.com>
To: Lisa Hourihan <Lisa_Hourihan@mad.uscourts.gov>

Fri, Jun 28, 2024 at 9:28 AM

Hello,

I just saw that I have a medical procedure scheduled for this date. Is it possible to reschedule this hearing please? Please let me know. Thank you.

James Driscoll
508-789-2371

On Tue, Jun 25, 2024 at 2:16 PM Lisa Hourihan <Lisa_Hourihan@mad.uscourts.gov> wrote:
[Quoted text hidden]

Lisa Hourihan <Lisa_Hourihan@mad.uscourts.gov>
To: James Driscoll <jamesmdriscoll2@gmail.com>
Cc: "matt@brentwarrenlaw.com" <matt@brentwarrenlaw.com>

Fri, Jun 28, 2024 at 12:42 PM

I am copying counsel for the defendant here. Are you both available on 7/11 at 11AM?

From: James Driscoll <jamesmdriscoll2@gmail.com>
Sent: Friday, June 28, 2024 9:29 AM
To: Lisa Hourihan <Lisa_Hourihan@mad.uscourts.gov>
Subject: Re: Motion Hearing set for tomorrow

CAUTION - EXTERNAL:

[Quoted text hidden]

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

James Driscoll <jamesmdriscoll2@gmail.com>
To: Lisa Hourihan <Lisa_Hourihan@mad.uscourts.gov>
Cc: "matt@brentwarrenlaw.com" <matt@brentwarrenlaw.com>

Fri, Jun 28, 2024 at 4:11 PM

Yes, I am available then. Thank you very much.

[Quoted text hidden]

James Driscoll <jamesmdriscoll2@gmail.com>
To: Lisa Hourihan <Lisa_Hourihan@mad.uscourts.gov>

Mon, Jul 1, 2024 at 2:22 PM

Just following up on this to make sure it was seen. I am available July 11. thank you.

[Quoted text hidden]

James Driscoll <jamesmdriscoll2@gmail.com>
To: Savannah_Cook@mad.uscourts.gov

Tue, Jul 2, 2024 at 2:03 PM

Hello,

I am just following up on this to make sure it was seen. I am available July 11. thank you.

James Driscoll

On Fri, Jun 28, 2024 at 4:11 PM James Driscoll <jamesmdriscoll2@gmail.com> wrote:

[Quoted text hidden]

Savannah Cook <Savannah_Cook@mad.uscourts.gov>
To: James Driscoll <jamesmdriscoll2@gmail.com>

Tue, Jul 2, 2024 at 2:31 PM

Hello,

Received. Thank you, I will ensure Lisa sees it.

Best,



Savannah Cook

Docket Clerk to

the Honorable Denise J. Casper

and the Honorable Mark L. Wolf

Office of the Clerk

U.S. District Court, District of Massachusetts

One Courthouse Way, Suite 2300

Boston, MA 02210

📞 617-748-9182

[Quoted text hidden]

James Driscoll <jamesmdriscoll2@gmail.com>
To: Savannah Cook <Savannah_Cook@mad.uscourts.gov>

Tue, Jul 2, 2024 at 2:40 PM

Thank you very much.

[Quoted text hidden]

James Driscoll <jamesmdriscoll2@gmail.com>
To: Lisa Hourihan <Lisa_Hourihan@mad.uscourts.gov>

Wed, Jul 3, 2024 at 3:02 PM

Hello,

I am just confirming this hearing has been moved to July 11 please? Thank you.

James Driscoll

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